

### **REMARKS**

The Final Office Action dated June 10, 2005 has been carefully considered. The present Amendment After Final Rejection is intended to be a complete response and to place the case in condition for allowance.

Claims 1-14 are currently pending in the application.

In the Office Action, the Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. The examiner rejected claims 1-14 under 35 U.S.C. § 112, second paragraph as being indefinite, and claims 1-9 and 12-14 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent no. 5,788,599 to Adachi, et al. The Examiner noted the allowability of claims 10 and 11 if rewritten to overcome the § 112 rejection and to include base claim and intervening claim limitations. The Examiner approved the drawings received on April 8, 2005 and acknowledged receipt of certified copies of the priority documents. The Examiner also acknowledged and considered the Applicants' Information Disclosure Statement.

The Examiner is thanked for noting allowable subject matter. Claims 10 and 11 are amended to overcome the § 112, second paragraph, rejection and the objection that they are not in independent form. Reconsideration and withdrawal of the § 112 rejection and the objection are respectfully requested.

A telephonic interview was held with the Examiner on September 7, 2005. During the interview, Applicants argued the differences between the claimed step position ASTP and the corresponding target rotation ratio (ipR) of the applied reference, Adachi '599. The Examiner maintained the position stated in the Final Office Action. The Examiner suggested that claims 1 and 8 be amended to include a more distinguishable definition of the claimed ASTP, and suggested this may lead the claims to define over Adachi '599.

At the suggestion of the Examiner, claims 1 and 8 have been amended to clarify the meaning of the quantity ASTP. Applicants have also amended claims 1 and 8 to clarify the meaning of the element “a step-out determination means.” Support for the amendments can be found, *inter alia*, in the specification on page 18, lines 16 – 18 and from page 19, line 3 to page 26, line 11.

The specification is objected to as failing to provide a proper antecedent basis for the claimed subject matter. Specifically, the specification is objected to as failing to provide antecedent basis for the limitations “a step-out determination criterion,” in claims 2-6 and “a step-out criterion,” in claims 7, and 9-14. Claims 2-7 depend from claim 1 and claims 9-14 depend from claim 8. Applicants have amended claims 1 and 8 to clarify the meaning of “a step-out determination means,” which, in turn, clarifies the meaning of “a step-out determination criterion,” and “a step-out criterion.” Applicant respectfully submits that the current specification provides sufficient antecedent basis to the claims as presented. Reconsideration and withdrawal of the objection to the specification are respectfully requested.

Claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-6 and 9-13 are rejected for the use of the limitation “a step-out.” In claims 1-6 and 9-13, this limitation has been amended to read “the step-out” to indicate that it is the same limitation as first presented in independent claims 1 and 8.

Claims 4 and 11 are rejected under 35 U.S.C. § 112, second paragraph, because it is unclear what the limitation “acceleration or deceleration is a predetermined value or less.” Claims 4 and 11 are amended to clarify that a step-out determination will not be performed unless the acceleration or deceleration of the step motor is below a predetermined value. Support for these amendments can be found, *inter alia*, in the specification from page 5, line 21 through page 6, line 6.

Claim 8 is rejected under 35 U.S.C. § 112, second paragraph, due to alleged insufficient antecedent basis for the limitation “said correction.” Claim 8 has been amended to recite “said step-out correction,” which has sufficient antecedent basis in the claim.

Reconsideration and withdrawal of all of the 35 U.S.C. § 112 rejections are respectfully requested.

Claims 1-9 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent no. 5,788,599 to Adachi et al. Per the suggestion of the Examiner, Applicants have amended claims 1 and 8 to clarify the meaning of the quantity of ASTP and distinguish it from the target rotation ratio (ipR). Applicants respectfully submit that Adachi does not teach the quantity of ASTP in current claims 1 and 8 and hence does not teach all of the elements of the claims as currently presented. Reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection is respectfully requested.

As all grounds of objection and rejection have been addressed and overcome, entry of this Amendment and issuance of a Notice of Allowance of the claims, as now presented, are respectfully solicited.

In the event that there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (000560-00125). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicants hereby petition under 37 C.F.R. 1.136(a) for an extension of time for as many months as are required to render this submission timely.

*Serial No. 10/670,393*  
*Attorney Docket No. 000560.00125*

Any fees due are authorized above.

Respectfully submitted,

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